

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	CASE NO: 2:19-cr-53
	:	
v.	:	JUDGE EDMUND A. SARGUS, JR.
	:	
ANDREW K. MITCHELL,	:	
	:	
Defendant.	:	

**MOTION OF DEFENDANT TO
CONTINUE TRIAL AND ALL SCHEDULING ORDER DATES**

Now comes Defendant, Andrew K. Mitchell, by and through Counsel, Mark C. Collins and Kaitlyn C. Stephens, who hereby requests a continuance of all the trial date, as well as all Scheduling Order dates. This motion is agreed to by the Government and the Defendant continues to waive time. Reasons for said request are more fully stated in the attached Memorandum in Support.

Respectfully submitted,

/s/ Mark C. Collins

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Attorneys for Defendant Andrew K. Mitchell

MEMORANDUM IN SUPPORT

As the Court is aware, Defense Counsel also represents Mr. Mitchell in *State of Ohio v. Andrew K. Mitchell*, case number 19 CR 1662; a murder charge, set in front of the Honorable Judge David C. Young, in the Common Pleas Court of Franklin County. Currently, the case is set to begin a definite Trial on February 8th, 2023. It is Defense Counsel's belief that it is in Mr. Mitchell's best interest to focus on one matter at a time; that being the murder charge in the state case. The Assistant United States Attorney, Kevin Kelley, is in agreement with the state's case proceeding prior to the federal case and supports this motion. Defendant by and through Counsel hereby again waives speedy trial rights in the above-styled case.

Defense Counsel respectfully requests the instant matter currently set before this Honorable Court on January 9th, 2023, be continued to June or July of 2023, based upon conversations with the Government. Based on interests of justice, said request is consented and joined by Assistant U.S. Attorney Kevin Kelley.

Respectfully submitted,

/s/ Mark C. Collins

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2022, I electronically filed the Motion to Continue with Judge Edmund A. Sargus, Jr., using the CM/ECF System, which will send notification of such filing to the following: Kevin W. Kelley, Esq.

/s/ Mark C. Collins

MARK C. COLLINS (0061207)

/s/ Kaitlyn C. Stephens

KAITLYN C. STEPHENS (0095589)